

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STERLING PETERSON,)	
)	
Plaintiff,)	Civil Action No. 05 - 272
)	
v.)	Judge Joy Flowers Conti
)	Magistrate Judge Lisa Pupo Lenihan
Superintendent HARRY WILSON;)	
CHCA ROBERT TRETININK;)	
MICHEAL HERBIK, Doctor; CHRIS)	
MEYER, PA)	
)	
Defendants.)	

ORDER

The above captioned case was initiated on March 1, 2005 by the filing of a Motion to Proceed In Forma Pauperis (Doc. No. 1) accompanied by a Complaint. It was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (Doc. No. 13), filed on May 31, 2006, recommended that the Plaintiff's Complaint (Doc. No. 3) be dismissed due to Plaintiff's failure to prosecute this action. The Plaintiff was served at SCI Fayette, Box 9999, LaBelle, PA 15450-0999. The Plaintiff was advised he was allowed ten (10) days from the date of service to file written objections to the report and recommendation. No objections have been filed. After review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 19th day of July, 2006;

IT IS HEREBY ORDERED that Plaintiff's Complaint (Doc. No. 3) is
DISMISSED for failure to prosecute.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No.
13) of Magistrate Judge Lenihan, dated May 31, 2006, is adopted as the opinion of the court.

Dated: July 19, 2006

By the Court:

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Sterling Peterson
EL-9790
SCI Fayette
Box 9999
LaBelle, PA 15450-0999